

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15CV25

VITO ANTONIO LAERA,
Plaintiff,

vs.

SCOTT W. DANGLER, and BLANCO
GmbH
Co. KG,
Defendants.

ORDER

This matter is before the Court upon Defendant Scott W. Dangler's Motion to Dismiss. The Court previously stayed this case pending a ruling by the United States District Court for the Southern District of Florida on a motion to enjoin prosecution of this case. The case in Florida was filed over two years before this case was filed and was practically identical to this case. On August 26, 2015, the Florida court entered an Order enjoining this action and directing the Plaintiff herein to dismiss this case pursuant to the first-to-file rule. The Plaintiff did not appeal that Order and has not taken any action to dismiss this case. As the Plaintiff has refused to comply with the Florida Court's Order to dismiss this second-filed action, the Court will dismiss on his behalf.

IT IS THEREFORE ORDERED that Defendant Scott W. Dangler's Motion to Dismiss is hereby GRANTED and this case is hereby dismissed.

Signed: February 2, 2016



Graham C. Mullen
United States District Judge

